EDITORIAL POLICIES

Quality Assurance
Project 5:

**Impartiality
(Opinion Content)**

Final Report
July 2008

Advise. **Verify.** Review

ABC
Australian
Broadcasting
Corporation

Editorial Policies

The Editorial Policies of the ABC are its leading standards and a day-to-day reference for makers of ABC content. The Editorial Policies –

- give practical shape to statutory obligations in the ABC Act;
- set out the ABC's self-regulatory standards and how to enforce them; and
- describe and explain to staff and the community the editorial and ethical principles fundamental to the ABC.

The role of Director Editorial Policies was established in 2007 and comprises three main functions: to advise, verify and review.

The verification function principally involves the design and implementation of quality assurance projects to allow the ABC to assess whether it is meeting the standards required of it and to contribute to continuous improvement of the national public broadcaster and its content.

Acknowledgements

Foreword

Opinion and impartiality – are there any other words which, when paired, are more fraught for a public broadcaster? Is any other pair of words more apparently paradoxical?

Opinion content is commissioned or acquired by the ABC to provide a particular perspective or point of view. It relates to matters of contention and public debate.

This project is the first to test section 6.6.3 of the 2007 Editorial Policies, the essence of which states –

> The ABC is committed to impartiality and must demonstrate this in its opinion content through the presentation of a diversity of perspectives. This requires a diversity of perspectives to be demonstrated across a network or platform by providing content of a similar type and weight in an appropriate time-frame.

We looked at a sample of opinion content relating to a longstanding matter of contention in Australian public debate, the Apology. Two forums on the online platform were examined: *Unleashed*, which is run by the Innovation Division, and the *Opinion (News Online)* forum run by the News Division.

The overall conclusion is that the test for impartiality was met, according to the methodology used.

Significant questions emerged about the methodology itself, and about the wording of the relevant section of the Editorial Policies.

The complexities of the seemingly docile term "appropriate time-frame" became clearer as the project progressed, and a specific section of this report examines them.

The challenges inherent in the phrase "of a similar type and weight" speak for themselves throughout the report – in the data, the responses and findings, and in the methodology, which is reproduced in full at Appendix II.

The project showed up the importance of the ABC's striving for consistency in basic standards across the different Divisions. Content created in isolation by each Division tends nowadays to gather and mix on the online platform, and that trend will grow.

Linking, a feature unique to the online platform – with no analogues in traditional print media or radio or TV broadcasting to provide guidance – proved complex and we sought the Divisions' responses to initial data, considered them, then sought a second round of comments from the Divisions and considered them also in reaching our conclusion. Their full responses comprise Appendix III.

More than the other quality assurance projects so far conducted under the 2007 Editorial Policies, this fifth project laid bare the significance of the changes being wrought by technology on the ABC, in common with all institutional media.

Audiences are using media differently now. It means mass media are behaving differently, so methods for judging media can be expected to change.

Unlike earlier times, the power of widespread and irrevocable disclosure is now in the hands of anyone with a suitable device connected to the internet. Media standards used to be predicated on the notion that only a few controlled the means by which they or their invitees spoke to the many. It used to be assumed that the many were especially influenced by the few who ran newspapers and broadcasting.

Online life is expanding and quickening with broadband growth and other technological improvements. Online, the many can talk back to the few, or talk to each other on forums that the traditional media do not control. Or the many can obtain the undiluted opinions of those who are only summarised by the mass media, or perhaps do not appear in mass media at all.

These changes will force change to traditional thinking about media accountability. Traditionally, judgements about media performance have been pronouncements made after shrouded processes performed by persons of implied Olympian detachment. On matters of contention and public debate no one comes values-free and opinion-less to the task of judging media coverage. That much can be straightforwardly acknowledged. It nevertheless remains necessary for entities like the ABC to devise credible ways to assess whether they are meeting their standards, including standards for impartiality.

In future, in the field of media accountability – as in other fields – judgement is likely to become less definitive, more iterative; not so much a solo act but a shared process. Judgements will draw on more information, media decision-makers will be asked to explain more and to clarify, and conclusions will be drawn more from what the many discuss than from what the few pronounce.

Of course, judgements will still be made by those with particular responsibilities to make them, as I have in this context. But the enduring value of projects like this one will not be to provide an illusory definitiveness. Rather, they will provide necessary information, explanation and discussion.

For these new processes to be credible as a means of accountability there must be transparency.

This is essential if the processes are to have legitimacy among those who, in good faith, form different judgements on the basis of the same material. Those who form those different judgements should be able to see what was done and how it all was queried, explained and argued out. This should build their confidence in the process, even if it does not, to their way of thinking, make the conclusions right.

The exchanges between reviewers and editors set out in this report open up institutional media decision-making in a way that, to my knowledge, it has not been opened up before in Australian media self-regulation. Rarely do editors account in public for their choices in the systematic way this project required it. In this sense, the ABC is again innovating (one of its statutory functions), this time in the field of media self-regulation.

Mutually testing and mutually respectful interaction between the reviewers conducting the assessment and the editorial teams being assessed was of critical importance to what was learned during this project.

Transparency is not easy, but for the ABC and the Australia that the ABC exists to serve, I believe it will be better than the comparatively opaque complain-inquire-pronounce method of media accountability that marks the past.

In today's and tomorrow's media environment, especially in matters as contentious as judging impartiality, accountability increasingly consists of routine transparency and continuing engagement.

PAUL CHADWICK
Director Editorial Policies

July 2008

Quality Assurance Project 5

Impartiality (Opinion Content) – Final Report

July 2008

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I.   Introduction

The Australian Broadcasting Corporation commissioned this firm in 2007 to assist it to devise and implement a new system of editorial quality assurance. The system consists of a number of separate projects, of which this is the fifth. Its focus is on Impartiality of Opinion Content. The methodology was devised by the Principal of this firm, Dr Denis Muller, in collaboration with the ABC's Director Editorial Policies, Mr Paul Chadwick. The implementation of it was carried out independently of the ABC by Dr Muller, reporting to Mr Chadwick.
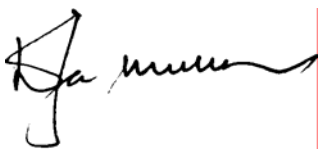
This report:

- presents the rationale, objectives and guiding principles for the project;

- summarises the methodology;

- presents the findings;

- presents conclusions, and

- provides as appendices the data base on which the review proceeded, the methodology in full, and the full responses of the relevant Divisions, News and Innovation, whose work was reviewed.

This is in the nature of a pilot project. No comparable editorial quality assurance system has been found to exist in media organisations in countries with a similar cultural and political setting to Australia. The methodology will be reviewed after the pilot is complete.

In accordance with procedural fairness, a draft of this report was circulated to relevant ABC Divisions for comment. Those comments are taken into account in this final report and the Divisions' full responses are included as Appendix III.

We would like to thank the ABC for inviting us to participate in this very interesting and important work. We regard it as a privilege to be asked to assist the national broadcaster in strengthening its capacities in such a vital area. We are accountable to the ABC through Mr Chadwick for the proper conduct of this project. We would be happy to discuss this report through him and by arrangement with him at any mutually convenient time.

DR DENIS MULLER
Principal

July 2008

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II. Rationale, Objectives and Guiding Principles

The ABC aspires to the highest standards. The standard of its work is of particular importance because the national broadcaster, under statute, is required to:

- inform
- educate
- entertain and
- innovate,

and through those activities to reflect Australia to itself, the world to Australia, and Australia to the world.

In any healthy democracy, those who wield public power need to maintain legitimacy and build trust. Major media outlets wield public power. Legitimacy and trust depend in part on personal and institutional accountability. Although the ABC already has well-developed mechanisms of accountability, it is increasing its commitment.

The role of the ABC Director Editorial Policies includes the development of fair and rigorous methodologies to:

- verify that content is meeting the standards required by the *ABC Act* and Editorial Policies; and
- contribute to continuous improvement of standards.

This is the first time this methodology has been used. When tested and refined, it is intended to re-use it periodically.

A. Objective

The objective of the project is to test sampled content from a platform against the requirement for impartiality as set out in section 6.6.3 of the Editorial Policies.

B. Guiding Principles

The approach taken in designing and carrying out this work is guided by six principles explained in full in the methodology at Appendix II. The principles are –

1. Respect for program-makers' independence

2. Professional accountability

3. Natural justice

4. An educative focus

5. Reasonableness

6. Transparency

III.   Methodology summarised

The methodology is at Appendix II. What follows is a summary to assist in understanding the findings.

A. Scope

To make the project manageable, we placed the following boundaries around the project:

> Material commissioned or acquired expressly for publication on www.abc.net.au, and not other ABC platforms or online locations.

Thus, the scope of this quality assurance project comprises:

Matter of contention and public debate:	The Apology
Network or platform:	www.abc.net.au
Time-frame:	16 August 2007 to 16 February 2008
Sample content:	Items of Opinion Content commissioned or acquired specifically for the Innovation Division's *Unleashed* forum and for the News Division's *Opinion (News Online)* forum on the matter of contention and public debate within the time-frame. Excluded were items commissioned or acquired for broadcast on the Radio or TV platforms and simultaneously or subsequently put online.

The reasons for choosing the issue of the formal apology to Indigenous Australians were that it was:

- a national issue of importance;

- highly topical inside a time-frame appropriate to a project of this sort (the current Editorial Policies have been in operation only since 1 March 2007 and section 6 is new, but the sample period needed to cover a reasonable span);

- clearly contentious; and

- a longstanding issue, so that a range of developed perspectives of the requisite types and weights could reasonably be expected to be available to be commissioned or acquired.

The reason for choosing a sample drawn from www.abc.net.au is that the online platform exemplifies the "convergence" to which the ABC is rapidly adapting (along with the rest of the world's broadcasters and publishers, whether public or commercial).

The time-frame is the six months back from the week in which the Prime Minister made the Apology in the Federal Parliament.

Naturally, the boundaries of various perspectives on the issue are porous, and they overlap. They are expressed in various ways. Public debate about complex issues is not neat. The data for this study illustrate the point. Some commentaries were entirely on the issues of the Apology; others were more tangential and covered related Indigenous issues. We have included them in this sample because some of these issues – while remaining contentious – were referred to in the Apology itself.

B.   Collection and analysis

The researchers assembled material on the Apology published on *Unleashed* and the *Opinion (News Online)* forums in the time-frame. The body of material was sufficient for the purpose of the project, but not so great as to require sampling of the material.

A combination of quantitative and qualitative techniques were used.

However, simply counting the incidences of key words, phrases, names, positions and interests is not enough. The terms "type" and "weight" in particular require qualitative assessment. This analysis was carried out by the project manager.

The material was also grouped by perspective, and analysed for meaning, for context and for the aspects of the Apology presented in each item, against the requirements of section 6.6.3 of the Editorial Policies, which states:

> The ABC is committed to impartiality and must demonstrate this in its opinion content through the presentation of a diversity of perspectives. This requires a diversity of perspectives to be demonstrated across a network or platform by providing content of a similar type and weight and in an appropriate time-frame. (For example, this might be achieved by presenting a discussion program after a point-of-view documentary.)

The key terms in this definition are explained in Appendix II.

The key questions on which the assessment of impartiality in this sample on this matter of contention and public debate has been based are:

> 1. Was there a diversity of perspectives?

> 2. What was the "type" and what was the "weight" of the content, as defined in the methodology?

From these data, judgements are made about whether the total sample exhibits overall the presence, in a sufficient degree, of the qualities required to satisfy the section 6.6.3 test of impartiality. Reasons for the judgements are given.

C.   Reporting procedures

This report has been prepared by Dr Muller for the Director Editorial Policies. In accordance with standard procedure, the relevant Directors were provided with a draft report and invited to comment. Their comments are taken into account in the preparation of this final report, and included in full as Appendix III. The report may be made public at the Managing Director's discretion.

The data from this pilot will be used for clarifying standards and for contributing to continuous improvement of ABC services. The report is for the internal quality assurance purposes of the ABC and will not be used for any other purpose.

IV. Findings

Consistent with the terms used in the definition of impartiality used in section 6 of the Editorial Policies and set out in the Methodology section above, these findings are presented under three headings:

- Diversity of perspectives
- Type
- Weight

The terms "type" and "weight" have the same meanings as those ascribed to them in the Methodology.

A. Diversity of perspectives

Twenty-one items on the subject of the Apology and related issues were published within the time-frame as opinion content on one or other of the two online opinion forums reviewed in this study.

Of these, 12 were published on *Unleashed* and nine on *Opinion (News Online).*[1] In total, the two outlets presented 18 distinct perspectives, as set out in Table 1. The perspectives have been categorised under six headings.

TABLE 1: ALL PERSPECTIVES

The Apology
Supports an apology
Opposes an apology
Related issue: Compensation
Compensation should follow any apology
Related issue: The Stolen Generation
Taking of the children defended
Related issue: The Northern Territory (NT) Intervention
Opposes NT Intervention
Accepting of NT Intervention
Related issue: Australian history
Indigenous people have been treated harmfully and unfairly and Australia needs to reconcile itself to this history
Opposes "black armband" view of history
Historical analysis contested
The "culture wars"
Related issue: Policy approaches
Sceptical of Howard Government proposal to recognise Indigenous people in the Constitution's Preamble / Recognises importance of bipartisan approach
Indigenous people neglected / Reconciliation resisted by Howard Government / Work of reconciliation still ahead
Critical of Howard Government approach to Indigenous affairs generally
Sceptical of "Old Left" approach to Indigenous affairs
Opposes handing over land to Indigenous people
Indigenous people need to join the modern world
Sceptical of policies to place Indigenous people in remote communities without employment or prospects
Inadequacy of litigation as a means of redress for Indigenous issues

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[1] One of the *Opinion (News Online)* items was listed in the "News stories" sub-domain (see Appendix I).

The perspectives presented by *Unleashed* are summarised in Table 2, alongside the name and a description of the commentators whose perspectives they were.

TABLE 2: SUMMARY OF PERSPECTIVES: *UNLEASHED*

PERSPECTIVE	COMMENTATOR
Supports an apology	Malcolm Fraser, former Liberal Prime Minister
	Fred Chaney, former Minister for Aboriginal Affairs in Fraser Government
	Larissa Behrendt, Professor of Law, Jumbunna Indigenous House of Learning, UTS
	Ali Cobby Eckermann, Indigenous writer
	Peter Read, historian, ANU
	Trevor Cook, PR man, generally anti-conservative blogger
Sceptical of Howard Government proposal to recognise Indigenous people in the Constitution's Preamble / Recognises importance of bipartisan approach	Fred Chaney
	Bruce Hawker, Labor Party strategist and PR man
	Julianne Schultz, Editor of *Griffith Review*
Indigenous people have been treated harmfully and unfairly and Australia needs to reconcile itself to this history	Jake Keane, journalist (non-ABC); teacher of Aboriginal youth
Opposes NT Intervention	Fraser
	Chaney
	Behrendt
Indigenous people neglected / Reconciliation resisted by Howard Government / Work of reconciliation still ahead	Fraser
	Hawker
	Behrendt
	Eckermann
Historical analysis contested	Read
Opposes an apology	David Barnett, former adviser to Fraser Government
	Roger Sandall, essayist and commentator on cultural relativism
Opposes handing over land to Indigenous people	Barnett
Opposes "black armband" view of history	Barnett
Indigenous people need to join the modern world	Sandall
Sceptical of policies to place Indigenous people in remote communities without employment or prospects	Sandall
Achievements of Howard Government in the "culture wars"	Peter Coleman, author and former Liberal leader in NSW Parliament

It can be seen there were 12 perspectives presented by *Unleashed* on the Apology and related issues over the six-month time-frame.

Table 3 summarises the perspectives presented by *Opinion (News Online)*.

TABLE 3: SUMMARY OF PERSPECTIVES: *OPINION (NEWS ONLINE)*

PERSPECTIVE	COMMENTATOR
Supports an apology	Gary Highland, National Director of Australians for Native Title and Reconciliation (ANTaR)
	Stephen Hagan, Lecturer, Centre for Australian Indigenous Knowledges, University of Southern Queensland
	Andrew Lynch, Director of Terrorism and the Law Project, UNSW
	Larissa Behrendt, Professor of Law, Jumbunna Indigenous House of Learning, UTS
	Tom Calma, ATSI Social Justice Commissioner
	Shelley Reys, Director of Reconciliation Australia
	Patrick Dodson, Chairman of Lingiari Foundation, former Chairman of the Council for Aboriginal Reconciliation.
Sceptical of Howard Government proposal to recognise Indigenous people in the Constitution's Preamble / Recognises importance of bipartisan approach	Highland
Indigenous people neglected/Reconciliation resisted by Howard Government / Work of reconciliation still ahead	Highland Reys Dodson
Compensation should follow any Apology	Lynch Behrendt
Critical of Howard Government approach to Indigenous affairs generally	Behrendt Calma Dodson
Inadequacy of litigation as a means of redress for Indigenous issues	Calma
Opposes an apology	Gary Johns, President of the Bennelong Society, former Federal Labor minister
Accepting of the NT Intervention	Marcia Langton, Professor in Australian Indigenous Studies, University of Melbourne
Sceptical of "Old Left" approach to Indigenous affairs	Langton
Taking of the children defended	Johns

Larissa Behrendt had two pieces published, one in *Unleashed* and one in *Opinion (News Online)*.

It can be seen that there were 10 perspectives presented by *Opinion (News Online)*. Some of these overlapped with those presented by *Unleashed*.

On this evidence, the online forums selected for this review did present a diversity of perspectives on this matter of contention and public debate as required by section 6.6.3 of the Editorial Policies. This holds true for each forum individually and for the two combined.

It remains now to examine "type" and "weight".

B. Type

Type refers to the nature of an opportunity to give an opinion.

These two forums, while both online, differed somewhat in type. *Unleashed* offered an interactive feature inasmuch as it allowed others to make comments in response. *Opinion (News Online)* offered this feature for all but one of the pieces examined.

The number of items falling to be reviewed totalled 21. They were distributed fairly equally (12-9) between the two forums.

Unleashed's 12 items presented 12 of the 18 perspectives identified in the sample. Each had an equal chance of attracting comment.

Opinion (News Online)'s nine items presented 10 of the 18 perspectives identified in the sample. The News forum too provided an opportunity of the same type, except for the Dodson piece, for which the comment facility does not appear from the available records to have been provided.

It should be noted that the Dodson piece was acquired as an excerpt from a speech and it carries a link to the full text of the speech.

In its response, News Division stated:

> Patrick Dodson's piece was not opened for comment because he had been in the news making the same sort of comments and the news story was opened for comments. For this reason, the producers decided that there was no sense in also opening the opinion piece for public comments.

Except for the Dodson item, all items across each forum were treated identically in terms of the "nature of the opportunity to give an opinion", according to the features available on that forum.

It follows that each outlet individually, and the two together, did offer "content of a similar type" as required by the test laid down in section 6.6.3 of the Editorial Policies.

The two forums appeared to operate different policies in relation to how long an opinion item remains open for comment. News closes the comment facility after 3 months; Unleashed appears to keep it open for a considerably longer period. This is an aspect of "type" as it applies to the online platform that requires further consideration in future projects.

C. Weight

"Weight" refers to prominence and source.

Prominence here consists of:

- the number of times a perspective was presented;
- the amount of space given;
- linking *from* the opinion item; and
- positioning in the website (which encompasses tagging and linking *to* the opinion item).

Source refers to the relative standing of persons.

1. Prominence

a. *Number of times a perspective was presented*

Table 4 shows the number of times a perspective was presented.

TABLE 4: NUMBER OF TIMES EACH PERSPECTIVE WAS PRESENTED

PERSPECTIVE		NUMBER OF TIMES PRESENTED		
P No.		Unleashed	Opinion (News Online)	Total
1	Supports an apology	6	7	13
2	Opposes an apology	2	1	3
3	Compensation should follow any apology	--	2	2
4	Taking of the children defended	--	1	1
5	Opposes NT Intervention	3	--	3
6	Accepting of NT Intervention	--	1	1
7	Indigenous people have been treated harmfully and unfairly and Australia needs to reconcile itself to this history	1	--	1
8	Opposes "black armband" view of history	1	--	1
9	Historical analysis contested	1	--	1
10	Achievements of Howard Government in "culture wars"	1	--	1
11	Sceptical of Howard Government proposal to recognise Indigenous people in the Constitution's Preamble / Recognises importance of bipartisan approach	3	1	4
12	Indigenous people neglected / Reconciliation resisted by Howard Government / Work of reconciliation still ahead	4	3	7
13	Critical of Howard Government approach to Indigenous affairs generally	--	3	3
14	Sceptical of "Old Left" approach to Indigenous affairs	--	1	1
15	Opposes handing over land to Indigenous people	1	--	1
16	Indigenous people need to join the modern world	1	--	1
17	Sceptical of policies to place Indigenous people in remote communities without employment or prospects	1	--	1
18	Inadequacy of litigation as a means of redress for Indigenous issues	--	1	1

Looking at these perspectives:

- The perspective supporting an Apology was presented much more frequently than the perspective opposing an Apology.

- The perspective opposing the NT Intervention was present more frequently than the perspective accepting the Intervention.

- Notwithstanding, a range of perspectives on the broader debate about Australian history was presented. (It is acknowledged that this is an inexact comparison but it is considered to be shorthand for the debate on this topic.)

Otherwise, the most frequently presented perspectives were those critical of the Howard Government approach (P Nos 11, 12 and 13). The three perspectives grouped under this broad heading were presented a total of 14 times. Broadly speaking, the perspectives that were not critical of the Howard Government approach (P Nos 4, 14 and 16) were presented three times.

The related perspectives concerning land (P Nos 15 and 17) were presented twice.

It is clear that the presentation of perspectives supporting an Apology or critical of the Howard Government approach to Indigenous issues substantially outnumbered the presentation of perspectives opposing an Apology or supporting the Howard Government approach to Indigenous issues.

In their responses to the draft of this report, News and Innovation Divisions commented on this finding.

News Division stated:

> The Opinion Editor for News Online did attempt to commission material that was likely to be opposed to the apology. She made approaches to five people, all former members of the Coalition Government, which had opposed an apology. They were John Howard, John Herron, Ian Macfarlane, Tony Abbott and Wilson Tuckey. All of them declined.

Innovation Division stated:

> *Unleashed* editors in fact sought further anti-apology comment and approached writers who may have taken an anti-apology position: Keith Windschuttle (who wrote a piece in *The Australian*), Ron Brunton, Geoffrey Blainey and Peter Sutton. All declined.

These responses indicate that both forums tried to obtain a wider range of perspectives, particularly from people thought to be opposed to the Apology, than they were able to get.

News Division also noted that, under the current approach to determining time-frame in the methodology, even small changes to the time-frame can significantly alter the data. In this case, News noted that had the time-frame been extended by nine days, it would have included at least one more item that would have narrowed the disparity identified in this report.

Innovation Division made a further relevant point, which could be discussed here, under the criterion of "weight", or later under "time-frame". For convenience, we place it here.

Innovation noted that the items reviewed had been accumulated from a six-month period during which there had been three separate debates about major issues in the field of Indigenous affairs –

- The first was when Mr Howard as Prime Minister had spoken of his desire to see Reconciliation symbolically advanced by an acknowledgement of Aboriginal Australians in the Preamble to the Constitution.

- The second was on Australia Day 2008 when there was a debate about how Australia should celebrate Australia Day.

- The third was when Mr Rudd as Prime Minister had made the formal Apology in February 2008.

Innovation Division stated that in relation to the first debate, *Unleashed* had published five items, including two not originally captured by this review, but which are now included. While numerically disparate (four to one against Howard), in Innovation's view they nonetheless provided a range of perspectives as required by section 6.6.3.

In relation to the second debate, there had been three pieces, one from a conservative perspective, one from a progressive perspective, and one from a former Liberal candidate now urging his party to support an apology.

In relation to the third debate, *Unleashed* published three items, two supporting the Apology and one opposing it.

This was the occasion when *Unleashed* unsuccessfully approached the four commentators mentioned above for pieces that were anticipated to be against the Apology.

In this context, News and Innovation Divisions made a further relevant point. When the tide of public opinion is running in a certain direction, it is axiomatic that more material going in the direction of the tide is likely to be forthcoming than material going against the tide. This follows from the sheer weight of numbers, which bears upon the probabilities.

Innovation Division pointed out that, at the time the Apology was made by Mr Rudd, Newspoll was putting voter support for the Apology at 69%. This is indicative of a strong tide of public opinion, since the sampling variance for a standard Newspoll lies between plus or minus 2 and 3 per cent. So voter sentiment in respect of the Apology was running at least two to one in favour of the Apology, and may have been as high as 71% or 72%.

As will be seen later, tides are relevant but not determinative.

b. *Amount of space given*

Because commentators tended to cover more than one perspective, it is difficult to give an exact measure of the amount of space given to each perspective. Moreover, each commentator's item tended to cohere around a set of perspectives that were mutually reinforcing.

For these reasons, the amount of space given to each perspective will be reported as the sum of the amounts of space given to all commentators who wrote on this perspective.

TABLE 5: AMOUNT OF SPACE EACH PERSPECTIVE WAS GIVEN

	Total words
Supports an Apology	
Malcolm Fraser, Fred Chaney, Larissa Behrendt, Ali Cobby Eckermann, Peter Read, Trevor Cook, Gary Highland, Stephen Hagan, Andrew Lynch, Tom Calma, Shelley Reys, Patrick Dodson	9627
Opposes an Apology	
David Barnett, Roger Sandall, Gary Johns	2826
Compensation should follow any apology	
Andrew Lynch, Larissa Behrendt	2555
Taking of the children defended	
Gary Johns	978
Opposes NT Intervention	
Malcolm Fraser, Fred Chaney, Larissa Behrendt	2594
Accepting of NT Intervention	
Marcia Langton	866
Indigenous people have been treated harmfully and Australia needs to reconcile itself to this history	
Jake Keane	915
Opposes "black armband" view of history	
David Barnett	782
Achievements of Howard Government in "culture wars"	
Peter Coleman	839
Historical analysis contested	
Peter Read	1068
Sceptical of Howard Govt proposal to recognise Indigenous people in Constitution's Preamble / Recognises importance of bipartisan approach	
Fred Chaney, Bruce Hawker, Julianne Schultz	1623
Indigenous people neglected/Reconciliation resisted by Howard Govt/Work lies ahead	
Gary Highland, Shelley Reys, Patrick Dodson	2030
Critical of Howard Government approach to Indigenous affairs generally	
Larissa Behrendt, Tom Calma, Patrick Dodson	3560
Sceptical of "Old Left" approach to Indigenous affairs	
Marcia Langton	866
Opposes handing over land to Indigenous people	
David Barnett	782
Indigenous people need to join the modern world	
Roger Sandall	1066
Sceptical of policies to place Indigenous people in remote communities	
Roger Sandall	1066
Inadequacy of litigation as a means of redress for Indigenous issues	
Tom Calma	778

As Table 5 shows, more than three times as much space was given to the perspective supporting an Apology than to the perspective opposing an Apology.

On the NT Intervention, space was distributed about 2:1 in favour of those opposing the Intervention.

These totals follow logically from the finding in relation to the first factor in the prominence element of "weight". That is, the disparities in the number of times perspectives were presented naturally flow through proportionately to the data about space given to those perspectives when given as a total word count for items on each side of the broad debate.

Another aspect of the factor "amount of space given" in the prominence element is to allow comparison of space given to each individual commentator. Table 6 shows no discernible pattern of discrimination, pro or con, in the amount of space each individual commentator received, regardless of the position he or she took in the broader debate.

TABLE 6: AMOUNT OF SPACE GIVEN TO EACH COMMENTATOR

COMMENTATOR	WORDS
UNLEASHED	
Malcolm Fraser	428
Fred Chaney	376
Bruce Hawker	759
Trevor Cook	1161
David Barnett	782
Jake Keane	915
Roger Sandall	1066
Larissa Behrendt	804
Ali Cobby Eckermann	526
Peter Read	1068
Peter Coleman	839
Julianne Schultz	488
OPINION (NEWS ONLINE)	
Gary Highland	533
Stephen Hagan	705
Andrew Lynch	765
Larissa Behrendt*	986
Marcia Langton	866
Tom Calma	778
Gary Johns	978
Shelley Reys	505
Patrick Dodson	992

*Larissa Behrendt was the only person to appear more than once across these forums in this time-frame on this issue.

The wide variation in the amounts of space given suggests that it is really up to the writer to determine the length.

The relevant ABC Divisions were invited to comment on this.

News Division stated:

> When News commissions opinion pieces, it asks contributors for between 700 and 800 words. There are, however, wide variations in what is received. If the opinion piece is extracted from a speech, it may be more or less than the preferred length. The Opinion Editor strives to ensure that the overarching sense of the contributor's position is not changed. This can be a significant factor in determining the length. As with all pieces of contributed material, the Opinion Editor has the discretion to let a piece run longer if the argument is well presented. However, the Opinion Editor will often contact the contributor to edit the piece to a more manageable length.

Innovation Division stated:

> All *Unleashed* contributors are invited to provide articles of between 600 and 1000 words. The average is about 800 or 900. The exact word count is left to the contributors.

In considering word counts in the context of assessments of media impartiality and opinion content, it is relevant to bear in mind that there is no necessary correlation between space and persuasiveness. In lengthy pieces, readers may lose the strand of an argument. Brevity may intensify a point and make it memorable. Much depends on the author. In a related context in its supplementary response, Innovation stated:

> How well an author will express his or her views and how strident or nuanced those views will be, cannot be determined in advance.

Innovation Division also made a more general point, applicable here to word counts but also relevant to other criteria used in the methodology for this project:

> Editorial judgements about balance are complex and rarely about word counts or the number of articles.

> *Unleashed* editors do not seek to achieve balance on subjects in an artificially aggregated way over an arbitrary time frame, but instead seek a general balance on each occasion a debate arises. It follows that each time a broad subject like indigenous relations comes up, the specific nature of the discussion and the range of perspectives will differ.

As is pointed out in the Methodology and stated by Innovation Division in its response, there is no definition of "weight" in the Editorial Policies.

A definition had to be created for the purposes of this review. It would have been obviously incomplete without a component that took some account of volume – how many articles and how many words.

That said, we agree with Innovation Division that on its own this is not an adequate measure of editorial "weight" and for that reason is only one of four factors that together make up the "prominence" element of "weight". The other element of "weight", which we called "source", relates to the relative standing of an author rather than the prominence of his or her material. All this comprises the definition used in this project.

Innovation Division's and News Division's processes as described above seem to us to conform to the spirit of section 6, containing as they do general standards (600-1000; 700 to 800 words) but with scope for editorial discretion to be applied, including – in the case of *Opinion (News Online)* – for the editor to publish more or less, depending on the quality of the material.

This is a proper matter for editorial judgement and should not be second-guessed in this kind of review process unless there are strong grounds, and here there are not, for believing that the discretion had been misapplied.

A NOTE ON THE RELEVANCE OF TAGS AND LINKS TO PROMINENCE

Tags are a technological means of enabling a reader to bring up a list of similarly tagged items on that same site or sub-site.

Links are a technological means of enabling a reader to go directly to the linked content, whether within the same website or elsewhere online. They may be relevant to prominence in two main ways. First, the text of the opinion item itself may include, or be surrounded by, links to related material elsewhere online. Second, elsewhere on the same website, may be links that point back to the opinion item.

To the extent that editorial controllers of a site insert tags or links, or allow authors to insert tags or links, they may be said to be exercising discretion about what a reader can easily reach. It may be too much to suggest that they are directing a reader to the tagged or linked item, and it is not correct to say they are endorsing the tagged or linked item's contents (unless the context clearly indicates otherwise).

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c. *Linking from the opinion items*

Eight of the 21 items included links going out to other material, amounting to a total of nine references to related material. One of the items (Julianne Schultz's) had two links: one within the text of the article referring to a published version of a third-party essay, and the other referring to a Radio National podcast of the third party delivering the speech.

The links to related material seemed to serve a variety of functions, including:

- highlighting a biographical detail of the author, for example Gary Johns' presidency of the Bennelong Society;

- pointing the reader to the full text of the author's essay, an extract of which was published by the ABC on *Opinion (News Online)* or *Unleashed*: for example, Marcia Langton's item was followed by a link to her full essay published in the *Griffith Review*, and Patrick Dodson's article is followed by a link to the full transcript of his speech to the National Press Club;

- pointing a reader to an article that the author is specifically rebutting or otherwise discussing, such as:

  - Peter Read rebutting an article published by Keith Windschuttle in *The Australian*;

  - Peter Coleman discussing Greg Sheridan's article published in *The Australian*;

  - Julianne Schultz discussing Noel Pearson's essay published in *Griffith Review* and podcast on Radio National's Big Ideas;

- pointing the reader to material that may not have been specifically referred to in the article, but which seems to be related to what was discussed, for example:

  - alongside Stephen Hagan's item about possible redress, a "further information" link was added to the Queensland Government Redress Scheme;

  - alongside Patrick Dodson's item was a "related link" to the Prime Minister's address to the Sydney Institute

The full details of these links can be found in Appendix I.

In four cases, the link to the related material was embedded within the item itself. In five cases, the link to related material sat outside the text of the item. It is not possible for readers to know whether the author or the ABC personnel decide to hyperlink to material referred to within the text, or to other material alongside

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the text. Yet these are judgements about what to supplement an argument with, and are likely to be relevant to assessments about impartiality on the online platform.

The Divisions were invited to provide further information to shed light on how decisions about links were made. News Division commented:

> The producer decides on links based on finding relevant material to link to. In general, *News Online* usually links only to a full version of a speech or relevant report, assuming that it is available online.

News Division pointed out that links from an opinion piece need not necessarily take the reader who clicks on them only to other material that augments the argument of the piece. The linked material might counter the argument of the original piece. Or the link might take readers to an original source for the matter under discussion, as in this instance, when *Opinion (News Online)* linked to the text of the PM's speech on reconciliation.

Innovation Division stated:

> Article links are provided by contributing authors. *Unleashed* editors add links only if they believe that readers will struggle to understand the point being made without access to content a writer may be critiquing or citing.

In relation to prominence, the complexity of a criterion involving linking and its significance to an assessment of impartiality in relation to opinion online has become more apparent to us in the course of this project, the first of its type.

During the course of the project we invited both Divisions to comment on a draft report. Having considered this issue again in light of their comments, we again sought the Divisions' comments. Some have been quoted above. Their initial and supplementary responses appear in full in Appendix III.

d.   Positioning in the website (encompassing tagging and linking to the opinion items)

Currently, *Unleashed* and *Opinion (News Online)* may be reached with one mouse-click from the ABC home page. However, *Unleashed* has its own banner on the home page, whereas *Opinion (News Online)* is less prominent, being one of several links under the News banner. [Some changes are planned by News Division to give more prominence to its Opinion content – see Appendix III, Additional Response from News Division.]

Subject to any changes that may have occurred outside the time-frame, it would appear that the display for each item within each forum was not materially different from one another. The 21 items sampled were divided fairly equally between the two forums, and the number of perspectives presented in those items on each forum was also nearly the same. There was some overlap in the range of perspectives.

Tags are utilised on *Opinion (News Online)* but not on *Unleashed*. Innovation Division stated:

> Unlike ABC Online News, *Unleashed* is not technically equipped to tag items on site. *Unleashed*, however, does provide the capacity for users to share articles with others by providing the capacity to link all articles to social networking and aggregation sites like del.icio.us, Digg and Reddit.

In *Opinion (News Online)*, there was substantial consistency in both the numbers and names of the tags appended to the sampled items. Naturally the choice of tag is governed to at least some extent by the content of the item itself. The tags provided by *Opinion (News Online)* to the items sampled here are given in Table 7. The fact that the date on which tags are attached to a given item can vary is of potential significance to an assessment of prominence to which the reviewers will give attention in future projects.

In response to our invitation, News Division made the following comment about tags:

> Tags are automatically added by the underlying, pre-determined tagging system News Online uses for all material. These are common to news stories and opinion pieces. In the case of the apology, News Online belatedly added an 'apology' tag to the metatagging system. This allowed news material tagged with 'the-apology' to be automatically extracted from the content management system and published within the apology sub-site of News Online. The Opinion Editor retrospectively added the apology tag to the two most recent Opinion pieces as simply a way of promoting the Opinion site from within the apology sub-site.

As Table 7 shows, with the exceptions of Lynch and Langton there was close to equal treatment of all the commentators in respect of tags. These exceptions are not relevant to the impartiality assessment. It is obvious that as the debate progressed, the range of tags changed and the Apology became an explicit stand-alone tag, whereas it had previously been associated with Reconciliation more generally.

TABLE 7: NAME AND NUMBER OF TAGS APPENDED TO EACH COMMENTATOR

Commentator	Tags	Number
Gary Highland	Community and society; indigenous; reconciliation; federal government; federal election 2007; Australia	6
Stephen Hagan	Community and society; indigenous; stolen-generations, government and politics, federal government; reconciliation-apology; Australia	7
Andrew Lynch	Indigenous; law-crime and justice; reconciliation-apology; Australia	4
Larissa Behrendt	Indigenous; stolen-generations, reconciliation; government and politics, federal government; reconciliation-apology; Australia	7
Marcia Langton	Indigenous; federal-state issues; Australia	3
Tom Calma	Community and society; indigenous; stolen-generations, federal government; the Apology; Australia	6
Gary Johns	Community and society; indigenous; stolen-generations; reconciliation; the Apology; Australia	6
Shelley Reys	Community and society; indigenous; stolen-generations, reconciliation; the Apology; Australia	6
Patrick Dodson	Community and society; indigenous; stolen-generations, reconciliation; the Apology; Australia	6

One of the ways that visitors to the ABC Online site may be linked to opinion content is through an events page. ABC News has an events page online entitled "The Apology". This is a form of aggregation bringing together related material on a topical matter, and is one of several ways of enabling a reader to go direct to an opinion item. On "The Apology" page are links to some of the opinion items that appeared on *Opinion (News Online)* during the time-frame but not to the *Unleashed* opinion items.

Thinking about the ABC online platform as a whole, which is how the audience finds it, and not the News Division and the Innovation Division as separate entities, this differential treatment affects prominence. Some items get more mentions than others.

Differential prominence also holds for tagging because the way tags operate, as the forums are currently configured, is to pick up News content only.

2.   Source

"Source" refers to the relative standing of persons.

Among the 20 persons whose perspectives were presented (one person had two items published), one – Malcolm Fraser -- was a former Liberal Prime Minister and a high-profile campaigner on Indigenous issues. In terms of relative standing, he was *sui generis* in this company. He was clearly in favour of the Apology and opposed to the Howard Liberal Government's approach to Indigenous issues, even though he had been himself a Liberal prime minister.

His presence weighs the scales heavily in that direction, but that is not something the ABC can do anything about – aside from declining to publish him, which is not an appropriate response from any serious media organisation, particularly one with the statutory duties that the ABC must strive to meet.

Otherwise, the commentators consisted of the following:

- two former Federal Ministers (Chaney and Johns) and a former Leader of the Opposition in NSW (Coleman);

- a variety of academics (Behrendt, Read, Hagan, Lynch, Langton, Schultz);

- a variety of writers (Eckermann, Keane, Sandall);

- a variety of PR and political strategists (Cook, Hawker, Barnett);

- a variety of office-holders (Highland, Calma, Reys, Dodson).

V.   Conclusions

These conclusions are based on the three criteria that section 6.6.3 of the Editorial Policies requires to be met for impartiality in opinion content.

The criteria are:

   A. Diversity
   B. Type
   C. Weight

A. Diversity

"Diversity" refers to the range of perspectives published.

On the criterion of "diversity", the reviewers conclude that in the opinion content on the two online forums *Unleashed* and *Opinion (News Online)* on the online platform www.abc.net.au, the ABC did present a diversity of perspectives on the matter of contention and public debate, the Apology, in the time-frame.

B. Type

"Type" refers to the nature of the opportunity to give an opinion.

On the criterion of "type", the reviewers conclude that in the coverage of the Apology on the two online forums *Unleashed* and *Opinion (News Online)* on the online platform www.abc.net.au, the ABC did present content of a similar type, as required by section 6.6.3.

C. Weight

"Weight" has two elements, prominence and source.

   Prominence has four factors:

   - number of times a perspective was presented
   - amount of space given
   - linking *from* an opinion item
   - positioning on the website (encompassing tagging and linking *to* an opinion item)

   Source refers to the relative standing of persons.

1.   Prominence

We conclude as follows in relation to the four factors comprising the "prominence" element of the "weight" criterion –

   - Factor 1 was not sufficiently present.
   - Factor 2 was not sufficiently present when space is considered in totals, and was sufficiently present when space is considered for each individual commentator.
   - Factor 3 was sufficiently present.
   - Factor 4 was sufficiently present.

Below we set out further information and explanation which we regard as relevant to these conclusions about the four factors of prominence, to the overall conclusion we have reached and to the refinement of the methodology for future projects of this sort.

a. Number of times a perspective was presented

During the project, Innovation drew our attention to two other items on *Unleashed* within the time-frame, which had not been included in the original data. Those items have now been added to the data. News pointed to an item published on *Opinion (News Online)* just outside the time-frame. Notwithstanding, it remains the case that there was a wide disparity between the material generally favouring an Apology and material generally opposing it, and between material generally supporting the Howard Government's approach to Indigenous issues and material generally opposing it.

We conclude that the sample did not satisfy this factor of the prominence element of the "weight" criterion. We emphasise that balanced numbers are not and should not be required to meet an impartiality test that is rigorous and fair. Bare counts can mislead.

Disparities that are this wide need explanation.

The responses by the two Divisions, summarised in this report and given in full in Appendix III, explain their views of how the disparities came about and whether "disparity" is the right word if the data itself is understood in a more nuanced way than simply counting the number of times a perspective was presented.

On the question of criteria involving bare counts, it is important that these quality assurance projects do not engender a kind of specious impartiality. This is what would result from artificially creating equality of exposure for all perspectives and asserting that this results in impartiality. Editing any opinion forum is a more sophisticated task than crudely balancing the scales by placing lumps of opinion in either dish. Any editor responds in part to what opinions are being offered to him or her for presentation at any given time, by whom, and how the opinions are expressed. When commissioning, an editor applies various criteria, including topicality, which in turn tends to be affected by whatever is running in the news at the time.

A further consideration, vividly illustrated by the experience of both these forums around the time of the Apology, is the tide of public opinion.

The speed and direction in which the tide of public opinion is running at the time editors make decisions is a factor that may profitably be considered in cautiously refining the definition of "weight" as it applies to impartiality in this context of opinion content.

We say "cautiously" for several reasons. The Editorial Policies do not require that the material published must replicate the *extent* to which particular views are held throughout the community. It is not reasonable to expect editorial decision-makers to know this. As the responses from News and Innovation indicate, editors sense the direction of public opinion and it is a factor in their decision-making, just as it can be a factor in how difficult they may find it to commission or acquire certain opinions from persons of appropriate prominence or expertise. Sometimes – as in this case – they can be assisted in their thinking by credible opinion polls.

But of course editors ought not slavishly follow the tide. The risk is that they would reinforce majoritarianism. One time-honoured strand of the principle of freedom of speech – one of the fundamental democratic principles to which the Board expressly committed the ABC in the preamble to the 2007 Editorial Policies – is the protected expression of dissenting views, especially at times when they are unpopular. The ABC has a role to play in that. We do not mean to suggest that either News or Innovation slavishly followed the tide in this case. We intend to draw attention to the risk if editors, any editors, do so.

Evidence of a tide is a relevant consideration in making assessments about impartiality, but not a determinative one.

For the reviewers, the combination of the data, the Divisions' responses and aspects of section 6.6.3 calls into question this factor in the "prominence" element of the "weight" criterion of the methodology itself. In our view, it needs to be refined if it is to remain among the criteria by which samples of opinion content are judged for the purposes of applying section 6.6.3 of the Editorial Policies.

At least three refinements suggest themselves:

- Express consideration of the contemporary state of public opinion at the time perspectives were commissioned or acquired.
- Express consideration of the availability, at the time the debate was running, of suitably prominent and expert writers on particular perspectives.
- Express consideration of the steps an editor can reasonably be required to have taken, in the time available to him or her during ongoing debates, to address a numerical imbalance by persisting in seeking out particular perspectives.

Each of these changes presents difficulties for rigorous and fair implementation, but at this stage we believe those difficulties are not insuperable.

b. Amount of space given

The findings show variations in word counts, distinguish aggregated space from space for individuals, and describe processes that give rise to variations in space given. From the findings we make a two-part conclusion for the purpose of assessing requirements for impartiality –

- this factor was not sufficiently present in relation to total space given to either side of the broad debate, a conclusion that follows from the conclusion about factor 1 above;

- this factor was sufficiently present in relation to space given to individual commentators.

c. Linking from items

The findings, including Appendix I, give the links *from* the items in the sample to other material online. The findings describe how the links are made and indicate the complexity of using this factor of the methodology. From the findings we conclude, in relation to assessing the requirements for impartiality, that this factor was sufficiently present.

d. Website position (encompassing tagging and links to items)

The findings indicate that the position of items on a website – a phrase which encompasses tagging and links *to* items from elsewhere on the site – can have effects on prominence from the point of view of visitors to the website. The findings indicate that the differences between treatment of the items on the two forums, *Unleashed* and *Opinion (News Online)*, related more to technological capabilities, automated processes and the ABC's divisional structure than to editorial decision-making by Innovation or News.

We conclude that this factor was sufficiently present in the sense required in this impartiality assessment.

2.   Source

On the "source" element of the weight criterion – relative standing of persons – an assessment needs to be made of the relative standing of persons on either side of the debate. The findings show that the relative standing of the authors of the items was broadly speaking similar.

We conclude, in relation to assessing requirements for impartiality, that this element of the "weight" criterion was sufficiently present.

D. Time-frame

Section 6.6.3 requires assessment of perspectives presented "in an appropriate time-frame". For this project, having considered factors such as cost, time, rigor and fairness, we chose the time-frame of six months, going backwards from the week of the formal Apology in Parliament in February 2008.

Innovation and News raise issues that indicate a need to rethink "time-frame". It may be that one unbroken period – whether of days, weeks, months or years – is too rigid, and may result in distortions that undermine the purposes of these kinds of quality assurance projects.

We understand Innovation to be arguing implicitly that a single frame may be less appropriate in this context of assessing opinion content than several frames, which should be placed around the clusters of debate on any given matter of contention that arise from time to time in the ongoing public conversation about all manner of matters of contention.

Applying the point to this project's "matter of contention", the Apology, it is suggested that three clusters occurred:

- debate around the former Prime Minister's speech on reconciliation in October 2007;
- debate around Australia Day 2008; and
- debate around the formal Apology in February 2008.

It is argued that if the opinion content published in each cluster were assessed separately, the impartiality requirement in section 6 would be seen to have been met.

The News Division pointed to a different problem with a single time-frame: the arbitrariness of the boundaries. The start and end of a time-frame may have the effect of excluding from consideration that which both rigor and fairness suggest should be included, especially when assessing content like opinion, in which nuanced judgements are required of both editors and, much later, of quality-assurance reviewers as well.

To summarise the Innovation and News points: a single time-frame is too crude to "see" the clusters of debate that gather and then disperse in the chaos of public conversation, and a single time-frame is so hard-edged it may slice apart a cluster, leaving out of account important bits of opinion material.

An illustration from the current project, which News raises in its response (Appendix III), is the opinion piece by Scott Stephens, which News stated it published after a magazine had removed it from circulation, but nine days after the Apology and therefore outside this project's time-frame.

The example is relevant not only to this project, but also to proper consideration of the place of an independent ABC in the provision of contending opinion overall in the Australian media environment.

We see merit in both the Innovation and News points. The treatment of the term "time-frame" in section 6.6.3 needs refinement for future projects.

E. User-generated content and section 6

Amongst the content excluded from the definition of opinion content is "opinions expressed by audiences through talkback or online interactive features" (section 6.4).

Innovation notes this exclusion and makes a point that underscores an issue that we foreshadowed in the methodology (Appendix II at pages 34-35) about shifting technologies affecting assessments of content. Innovation stated:

> On *Unleashed* commissioned articles are only part of the opinion published on any given subject. Articles are conversation starters and not ends in themselves. Accordingly comments posted online by the public are a significant part of the text available on the site.…

> While commissioned pieces do carry more individual weight, readers are accustomed to reading user comments, and the many thousands of words written and read by the public cannot be dismissed as weightless.…

> In the modern interactive environment of online opinion and blogging, to rule user-generated content out of any assessment of editorial content is to misunderstand sites like *Unleashed.*

This point raises significant policy issues which cannot be resolved within a quality assurance project like this one. This project must of course take the Editorial Policies as it finds them and work with current definitions. The wider policy issues are properly matters for resolution by the Managing Director and Board.

F. Overall conclusion

This project has revealed or brought into sharper focus complexities arising from linking, tagging, bare counts, time-frames and definitions which bear upon impartiality and which will need to be addressed in future quality assurance work involving the online platform.

Under the methodology for this project, our conclusions about the material assessed, in relation to each of the qualities required of opinion content, are as follows –

Is a **diversity of perspectives** presented?	Yes
Is the content that provides the diversity of perspectives of a **similar type**?	Yes
Is the content of a **similar weight**, meaning -	
is the number of times a perspective is presented similar?	No
is the space for the perspectives similar?	No, when aggregated Yes, for individuals
is the linking from the items similar?	Yes
is the positioning on the website similar?	Yes
Were the qualities required by section 6.6.3 present to a sufficient degree?	Yes

Appendix I: Database of Material Assessed

	Sub-domain (listed)	Article date (Y/M/D)	Title: URL	Author	Related material: URL
1.	News > Opinion > Essays	2008/02/15	After the apology: http://www.abc.net.au/news/stories/2008/02/15/2163855.htm	Patrick Dodson	Related link (accompanying article) to full transcript of Patrick Dodson, "After the apology", National Australia Bank address to the National Press Club, Canberra, 13 Feb 2008: http://www.abc.net.au/news/opinion/speeches/files/20080213_dodson.pdf
2.	News > Opinion > Essays	2008/02/13	Shared history, shared responsibility for change: http://www.abc.net.au/news/stories/2008/02/13/2161244.htm	Shelley Reys	
3.	News > Opinion > Essays	2008/02/13	For good deeds, there should be no apology: http://www.abc.net.au/news/stories/2008/02/13/2161584.htm	Gary Johns	Embedded link (within author description) to Bennelong Society, http://www.bennelong.com.au/index.php
4.	News > Opinion > Essays	2008/02/12	Forget black armbands, this is about healing: http://www.abc.net.au/news/stories/2008/02/12/2160694.htm	Tom Calma	
5.	News > Opinion > Essays	2008/02/08	Trapped in the Aboriginal reality show: http://www.abc.net.au/news/stories/2008/02/08/2157490.htm	Marcia Langton	Embedded link (following author description) to Griffith Review where Marcia Langton's full essay is available, "Trapped in the Aboriginal reality show" (2008) 19 *Griffith Review*: http://www.griffithreview.com/
6.	News > Opinion > Essays	2008/02/01	Apology hollow without follow-up" http://www.abc.net.au/news/stories/2008/02/01/2151864.htm	Larissa Behrendt	
7.	News > Opinion > Essays	2008/01/28	When 'sorry' is not enough: http://www.abc.net.au/news/stories/2008/01/28/2147816.htm	Andrew Lynch	

	Sub-domain (listed)	Article date (Y/M/D)	Title: URL	Author	Related material: URL
8.	News > Opinion > Essays	2007/10/12	Reconciliation talk now needs the walk: http://www.abc.net.au/news/stories/2007/10/12/2058099.htm	Gary Highland	Related link (accompanying article) to John Howard, Prime Minister, "The right time: Constitutional recognition for Indigenous Australians", address to the Sydney Institute, Sydney, 11 Oct 2007: http://www.abc.net.au/news/opinion/speeches/files/20071011_howard.pdf
9.	News stories	2007/12/06	Lucky country can say sorry, and mean it: http://www.abc.net.au/news/stories/2007/12/06/2111054.htm	Stephen Hagan	Related link (accompanying article) to Queensland Government Redress Scheme: http://www.communities.qld.gov.au/community/redress-scheme/
10.	Unleashed	2008/02/15	The myth of the Stolen Generations – a rebuttal: http://www.abc.net.au/unleashed/stories/s2163812.htm	Peter Read	Embedded link (within article) to Keith Windschuttle, "Don't let facts spoil the day", 9 Feb 2008, *The Australian*: http://www.theaustralian.news.com.au/story/0,25197,23182149-28737,00.html
11.	Unleashed	2008/02/14	What the apology means to me: http://www.abc.net.au/unleashed/stories/s2161257.htm	Larissa Behrendt	
12.	Unleashed	2008/02/14	Why they turned their backs: http://www.abc.net.au/unleashed/stories/s2162402.htm	Ali Cobby Eckermann	
13.	Unleashed	2008/01/25	Parades marches and fireworks: http://www.abc.net.au/unleashed/stories/s2146302.htm	David Barnet	
14.	Unleashed	2008/01/25	Reconciling the Aussie within: http://www.abc.net.au/unleashed/stories/s2145668.htm	Jake Keane	
15.	Unleashed	2008/01/11	Lost family histories: http://www.abc.net.au/unleashed/stories/s2135808.htm	Trevor Cook	

	Sub-domain (listed)	Article date (Y/M/D)	Title: URL	Author	Related material: URL
16.	Unleashed	2007/10/26	The Culture Wars: http://www.abc.net.au/unleashed/stories/s2071794.htm	Peter Coleman	Embedded link (within article) to Greg Sheridan, "Howard's Grand Failure", 25 Oct 2008, *The Australian*: http://www.theaustralian.news.com.au/story/0,25197,22642864-7583,00.html
17.	Unleashed	2007/10/13	Howard's reconciliation speech - What was that all about?: http://www.abc.net.au/unleashed/stories/s2058599.htm	Bruce Hawker	
18.	Unleashed	2007/10/12	It's easy to be cynical, but: http://www.abc.net.au/unleashed/stories/s2058053.htm	Julianne Schultz	Embedded link (within article) to Noel Pearson's essay, "White guilt, victimhood and the quest for a radical centre" (2007) 16 *Griffith Review*: http://www.griffith.edu.au/griffithreview/campaign/apo/apo_ed16/Pearson_ed16.pdf Embedded link (accompanying the article) to podcast of Noel Pearson's address, "White guilt, victimhood and the quest for a radical centre", on Radio National's Big Ideas on 24 Jun 2007: http://mpegmedia.abc.net.au/homepage/RNBigIdea_Noel_Pearson.mp3
19.	Unleashed	2007/10/12	Indigenous Australians – is this a new dawn?: http://www.abc.net.au/unleashed/stories/s2057946.htm	Fred Chaney	
20.	Unleashed	2007/10/12	One minute to midnight: http://www.abc.net.au/unleashed/stories/s2058475.htm	Malcolm Fraser	
21.	Unleashed	2006/02/12	A meaningless exercise: http://www.abc.net.au/unleashed/stories/s2160651.htm	Roger Sandall	

Appendix II: Methodology

I.   Introduction

The ABC aspires to the highest standards. The standard of its work is of particular importance because the national broadcaster, under statute, is required to:

- inform

- educate

- entertain and

- innovate,

and through those activities to reflect Australia to itself, the world to Australia, and Australia to the world.

In any healthy democracy, those who wield public power need to maintain legitimacy and build trust. Major media outlets wield public power. Legitimacy and trust depend in part on personal and institutional accountability. Although the ABC already has well-developed mechanisms of accountability, it is increasing its commitment.

The role of the ABC Director Editorial Policies includes the development of fair and rigorous methodologies to:

- verify that content is meeting the standards required by the *ABC Act* and Editorial Policies; and

- contribute to continuous improvement of standards.[2]

This is the fifth quality assurance project. It will examine impartiality as it relates to a sample of Opinion Content (Section 6 Editorial Policies 2007) originally published by the ABC online.

The project has been designed in conjunction with a qualified independent consultant, Dr Denis Muller, who is also an experienced journalist. Dr Muller will manage the project and provide a report to the Director Editorial Policies on the implementation of the methodology and its findings. This is the first time this methodology has been used. When tested and refined, it is intended to re-use it periodically.

II.   Objective

The objective of the project is to test sampled content from a platform against the requirement for impartiality as set out in section 6.6.3 of the Editorial Policies.

III.   Guiding Principles

The approach taken in designing and carrying out this work is guided by six principles.

A.   Principle 1 – Respect for program-makers' independence

Consistent with section 8 of the *ABC Act*, section 2 of the ABC's Editorial Policies gives independence the status of a key value in the ABC, along with honesty, fairness and respect. These values are applicable generally across the organisation.

Section 6.5 of the Editorial Policies enjoins staff to observe the four key values. Accordingly, those who commission or acquire opinion content (Ed Policies section 6) are expected to exhibit independence.

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[2] The role of the Director Editorial Policies is more fully described in the 2007 ABC Annual Report, pages 107-08.

Of particular relevance to the ABC is its independence from the government of the day because, unlike commercial media, the ABC is publicly funded, yet the ABC Act requires it to be independent. Independence contributes to the ability of the ABC to widen the diversity of media content in a country in which the ownership and control of the commercial media is highly concentrated. This concentration results in part from geographic and demographic factors that limit the role that market forces might otherwise play in media diversity.

The first guiding principle of this quality assurance project is that those conducting it recognise and respect the independence of ABC program-makers.

Everything done in this quality assurance project is directed at maintaining that independence, not weakening it.

## B.	Principle 2 – Professional accountability

Those privileged to have access to the broadcasting and publishing opportunities created by ABC networks and platforms should be accountable for the way they exercise their power and meet the responsibilities that come with that privilege.

## C.	Principle 3 – Natural justice

The quality-assurance process must adhere to the requirements of natural justice. Reviewers must be free of bias and pre-judgement. No adverse findings will be conclusively made until the relevant Directors have had a fair opportunity to respond to any draft finding on behalf of the program team or teams concerned. That response will then be taken into account in arriving at and reporting conclusive findings.

## D.	Principle 4 – An educative focus

This is an educative and developmental accountability process, not a censorious or punitive one. Individual staff members' identities will not be used in association with the results. The purpose is not to single out individuals for criticism or praise.

The purpose is to provide the basis for training, professional development and continuous improvement in quality across a program team, a Division and, where relevant, across the whole ABC.

## E.	Principle 5 – Reasonableness

Data will be assessed in light of what was reasonable to achieve in the circumstances, particularly by reference to the time or other practical pressures under which the material was commissioned or acquired, produced and published online.

## F.	Principle 6 – Transparency

The design and operation of the process will be transparent and made available to the relevant Directors in advance of implementation, with a recommendation that relevant staff be kept informed.

# IV.	Definitions

## A.	"Opinion content"

"Opinion Content" is described in section 6.1, 6.2, 6.3 and 6.4 of the 2007 Editorial Policies:

> Opinion content is commissioned or acquired to provide a particular perspective or point of view.

> It is prepared or presented by the person who is the author of the content.

Such content can add to public understanding and debate on issues.

This category relates to matters of contention and public debate.

Content in this category includes lecture series, point of view documentaries, editorial commentary, speeches and programs where the ABC has commissioned the presenter to take an editorial perspective.

Content which does not fall within this category includes:

- opinions expressed by audiences through talkback or online interactive features;

- opinions expressed by guests participating in news and current affairs content or topical and factual content;

- content categorised as performance;[3] and

- analysis and content provided by ABC presenters and journalists participating in news and current affairs content.

B.   "Impartiality"

"Impartiality": The concept of impartiality is discussed in the Preamble to the Editorial Policies, which states in part:

> The Board is clear that the requirement for impartiality – whether at content level or platform level – does not oblige the ABC to be resolutely neutral on every issue. As an Australian public broadcaster, the ABC is committed to fundamental democratic principles including the rule of law, freedom of speech and religion, parliamentary democracy and equality of opportunity.

It follows that any quality assurance process to assess impartiality must take account of such fundamental principles.

The Preamble makes it clear that the four content categories each have their own set of editorial requirements.

For the purposes of a project assessing impartiality in relation to Opinion Content, "impartiality" is defined in section 6.6.3:

> The ABC is committed to impartiality and must demonstrate this in its opinion content through the presentation of a diversity of perspectives. This requires a diversity of perspectives to be demonstrated across a network or platform by providing content of a similar type and weight and in an appropriate time-frame. (For example, this might be achieved by presenting a discussion program after a point-of-view documentary.)

This definition contrasts with interpreting the term "impartiality" in, say, section 6 of the Editorial Policies (News and Current Affairs Content), where the term requires elaboration in order to apply it in a fair and rigorous way to any given sample of content.[4]

To assess impartiality in the context of the test in section 6.6.3 it is necessary to –

- break the test down into its component parts,
- define key terms,
- make clear each step in applying the test, and
- ensure that the requirements of the test are capable of consistent application and explanation.

Under section 6.6.3, impartiality is what results from –

a **diversity**

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[3] Performance content is a separate category dealt with under section 8 of the Editorial Policies.
[4] For details, see *The Elements of Impartiality*, a consultation paper (September 2007 updated November 2007) at http://www.abc.net.au/corp/pubs/documents/impartiality_sep07.pdf.

> of **perspectives**
> on a **matter of contention and public debate**
> demonstrated across a **network or platform**
> by providing content of a **similar type and weight**
> in an **appropriate time-frame**

A sample of Opinion Content that fits that description will satisfy the impartiality test for Opinion Content.

C.   "Diversity"

"Diversity" is used in section 6.6.3 twice as a noun. It is the presence of a diversity of perspectives, not the degree to which the sampled content mirrors the extensiveness of support or opposition in relation to particular perspectives, which matters to this test of impartiality. It is to be expected that on any given matter of contention the extent of support for, or opposition to, particular points of view will vary.

Nothing in the section 6.6.3 test for impartiality requires that content should be assessed for whether it replicates the extent to which particular views are held. And this makes sense in practical ways. The unpredictability of public controversies, the vagaries of resources and schedules, the uncontrollable availability of key participants and the difficulties inherent in measuring "extent" in relation to opinions – these are all factors that should make any prudent designer of quality assurance projects into the impartiality of large amounts of media content spread over significant time-frames wary of methods that offer the illusory solidity of mathematical measures.

D.   "Perspective"

"Perspective" here means point of view in relation to the matter of contention and public debate. Unlike in section 7.4.1, in section 6 the word "perspectives" is not qualified by the words "principal" and "relevant". The project will assess content for a diversity of perspectives.

E.   "Matter of contention and public debate"

"Matter of contention and public debate" means a matter of public interest on which views differ.

Any narrower a definition would be hazardous. The utility and the pleasure of the concept of freedom of speech in a democratic society is its breadth. The challenge and the achievement of the best of media are to stimulate and host debate on matters of public interest. Media performs its role when it finds and presents in engaging ways the information that nourishes debate and the individual human stories that illustrate issues which the public has a legitimate interest in resolving.

The definition limits the matters of contention to matters of public interest, defined in broad terms. This is a very wide field and, to paraphrase a judge, the categories of the public interest are never closed. The statement in section 6.1 that Opinion Content "can add to public understanding and debate on issues" recognises that the publishing of opinion is an integral part of the process by which public understanding and debate proceed. The process has many ingredients, of which information is clearly one, but analysis and opinion too play a role in developing public understanding and stimulating debate.

It is important, however, that the content deals with matters properly public by nature. This interpretation is also consistent with section 6.6.5, which states: "Exercise reasonable respect for privacy". The distinction between public and private is commonly made in media standards. The implication of section 6.1 read with section 6.6.5 is that when the ABC commissions opinions and presents them for public debate there will be a legitimate public interest dimension to that debate, and that any reference to private matters will be justifiable in the circumstances because of that public interest dimension.

F.   "Network or platform"

"Network or platform" The terms are defined in the Glossary to the Editorial Policies**:**

> **Network**: Discrete services within a platform. For example, the ABC has an analog and digital television network and 65 analog and digital radio networks (eg Radio National, triple j, dig and each of the Local Radio stations).

> **Platform**: A medium or technology for content distribution. The ABC's primary platforms are radio, television and the internet (ABC online).

It has been decided to select a portion of the ABC online platform for this project. This platform is vast and growing rapidly.[5] Its presence goes wider than www.abc.net.au. Its audience is worldwide, not geographically limited like older radio and TV technologies.

It should be evident that the volume of content to be analysed is a key aspect of designing and implementing a quality assurance project based on section 6.6.3. Such projects are expensive and time-consuming, especially because the ABC's data retention systems were not developed with projects of this sort in mind.

The scope of the sample of online content analysed for this project is described below.

G.   "Appropriate time-frame"

"Appropriate time-frame" is determined by:

- the nature of the "matter of contention" chosen for analysis;

- factors specific to the network or platform chosen for a project;

- the deliberative process through which the matter of contention is to be resolved (for the time being), insofar as that is reasonably practicable; and

- the extent of resources available for a fair and rigorous project.

Since the objective of such projects is to assess whether an impartiality test has been met, the time-frame should start and end at points of significance in public debate and/or resolution of the matter of contention. Where possible it should be linked to the deliberative process upon which the matter turns.

To illustrate: if a quality assurance project such as this one had been considered a decade ago, and the matter of contention had been, say, "should Australia become a republic?", an appropriate time-frame may have begun at the time the Constitutional Convention was announced (or, given the limits on resources, when the Convention started) and ended after voting closed on the day of the Referendum in 1999. The content that would then have been tested for the presence or absence of a diversity of principal relevant perspectives would have been content provided by the ABC in a time-frame in which Australians could reasonably have been expected to be debating and deliberating on the matter of public interest. It is in that time period that the policy rationale underlying the impartiality requirement can be said to have been engaged. Moreover, the time-frame would have been connected in a real way with the progress of the debate itself, and would not have been merely arbitrary or artificial.

H.   "Content of a similar type and weight"

"Content of a similar type and weight" The terms "type" and "weight" must be defined before any assessment can be made about whether the network or platform under review did or did not meet this test

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[5] Other ABC sites besides www.abc.net.au include Australia Network (http://australianetwork.com/) and Radio Australia (http://www.radioaustralia.net.au/). The ABC also has online presence in, for example, the ABC Island on Second Life (http://slurl.com/secondlife/ABC%20Island/128/128/0/ described at http://www.abc.net.au/services/secondlife/), the ABC channel on YouTube (http://www.youtube.com/user/abcaustralia), and collaborative/interactive sites such as Pool (http://www.pool.org.au/) and Triple j Unearthed (http://www.triplejunearthed.com/).

of impartiality. The Editorial Policies do not define these terms. For the purposes of this project, they will be defined as follows:

Type: This refers to the nature of the opportunity to give an opinion.
For example, was it in a debate format? Was it closely preceded or followed by other views? If in audio-visual format (not just text online), was it live or pre-recorded? Examples of types more generally can be found in para 6.6.3 of the Editorial Policies and are implicitly incorporated into this definition.

Weight: This refers to prominence and source.
Prominence includes the number of times the perspective was presented, the amount of space given, linking, and positioning in the website.

Source refers to the relative standing of persons. To illustrate, if one opinion on a given matter of contention were given by a recognised expert in that field, to point for diversity only to a contrary opinion offered by a non-expert may not be enough because the non-expert may be unlikely to offer a contribution of a similar weight.

I.   "Program makers"

"Program makers" is a term very familiar in broadcasting. This project uses it for convenience. But in the context of commissioning opinion content specifically for the ABC's online platform, the term is worth a brief reflection. Job titles can chart change. The ABC, like the rest of the media, is changing. Previously distinct media platforms are converging because of technological change, and this is having an effect on familiar terms commonly used in each medium. So, in the online platform, where "programs" can consist of sound (as in radio) and still and moving vision (as in television), it is also routine to find text, as in newspapers and magazines.

On the websites of broadcasters, these mixed offerings may still be referred to as "programs". The people who make them are still program makers, but they may also be known by titles familiar from newspapers and magazines, such as "Editor", and perhaps even "columnist" – a term with a literal connection to the way the print media traditionally display, measure and categorise text. When the ABC News Division decided to put an "Opinion" page on its part of www.abc.net.au and commission pieces to publish there for its online visitors, it created the equivalent of the op-ed pages of daily newspapers. When the ABC Innovation Division developed the "Unleashed" part of www.abc.net.au, it did something similar. The capacity of the online platform to allow threads of audience members' comments in response to these opinion pieces is a rough contemporary equivalent of the newspapers' "Letters to the Editors" pages.

All this may seem to be strange in an ABC context because it is text-based and has a direct newspaper analogue. But ABC Radio, from its earliest years, commissioned opinion pieces from a wide range of contributors. Then, it used the label "Talks", and distinguished them from News content. The sort of judgements that the ABC's current editorial decision-makers are required to make about overall impartiality and diversity on opinion content online have been made routinely in the course of the ABC's life. The facts that technologies are changing, and that section 6 of the Editorial Policies 2007 is new, do not mean the activities and assessments that underlie the commissioning and presentation of contending opinions or the hosting of debates are new to the ABC. As at other times of great media change, the ABC can adapt confidently if it keeps its eye on its fundamental obligations and thinks about the differences that different forms of communication entail.

An example from the ABC's past is an analysis from 1956 by its then Director of Talks, Alan Carmichael, as the ABC prepared for the beginning of television.[6] Describing "the major challenge" for the Talks Department, Carmichael wrote:

This [challenge] is to ensure that the Commission's policy towards contention, evolved during a quarter-century in radio, will be carried on into the new medium. Always the ABC has held the view that on the great issues of the day – the matters on which passions run high – it has a firm responsibility to determine beyond doubt that the people are given the fullest information. There need be no illusion that the integrity of that policy will not be fully tested by TV – largely because seeing the protagonists as living breathing people in your own drawing room, only a few feet away from where you're sitting, can so intensify a controversy's dramatic impact.

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[6] 'Exciting Times Ahead', *The ABC Weekly*, vol 18 no. 44, 3 November 1956, p 5.

Pointing to differences between radio and TV, Carmichael noted that "fluency, even though only weakly allied to knowledge, may on occasion become a useful weapon in a TV argument". While "radio's cloak of invisibility" allowed participant's some chance to falter and recover, TV "is less likely to cover up a participant's discomfiture; a moment's expression of bafflement in Vision can exact a high price".[7]

One clear difference between the ABC's transition from radio to TV and the contemporary convergence of media platforms requires careful attention in this context of assessing impartiality in opinion content. In 1956, media were decidedly mass media. The few who controlled the press and radio and TV spoke to the many, who mostly did not or could not talk back. Neither could audiences talk to each other on any significant scale. New technologies now mean that the few, those who operate the mass media print and broadcast entities, have diminishing control. The conversation is not only few-to-many but many-to-few and many-to-many. Audiences, the many, are enabled by digital technologies to gather information and opinions for themselves, to disseminate widely, to challenge the older media institutions or to bypass them and gather and debate "the great issues of the day" in others forums.

These observations do not invalidate Carmichael's basic point: technological change requires us to pay attention to the nature of new media and how that affects the practical fulfilment of continuing statutory obligations. But they do suggest that the nature of the current and reasonably foreseeable media environment is very different from the environment when the ABC shifted from radio only to being a radio and TV broadcaster all those years ago. The discharge of the impartiality obligation needs to be put into effect and judged in the current and foreseeable context. If tied too tightly to norms developed for an era that is passing, the methods for honouring the impartiality obligation and for assessing whether it is being honoured may both go awry.

It will be apparent from this discussion of definitions that some of them are and will be self referential. That is unavoidable. These projects are an exercise in self-regulation. The ABC will sometimes be the source of a disclosure which triggers public debate about a matter of public interest. The ABC will decide which of its networks or platforms to examine at any one time. The ABC, affected as it always is by resource considerations, will determine sample sizes and set time-frames.

An effort has been made to give these key terms meanings that are not arbitrary or opaque.
Part of the transparency necessary to credible self-regulation is explicit recognition of the impossibility of Olympian detachment. This does not undercut the fact that it is possible to carry out a conscientious, methodologically defensible, good-faith assessment based on the explicit considerations set out here.

V.   Design and methodology

A.   Scope

To make this manageable, we placed the following boundaries around the project:
Material commissioned or acquired expressly for publication on www.abc.net.au, and not other platforms or online locations. Thus, the scope of this quality assurance project comprises:

> *Matter of contention and public debate:* The Apology

> *Network or platform:*   www.abc.net.au

> *Time-frame:*   16 August 2007 to 16 February 2007

> *Sample content:*   Items of Opinion Content commissioned or acquired specifically for the Innovation Division's "Unleashed" page and for the News Division's Opinion location on a matter of contention within the time-frame. Excluded are items commissioned or acquired for broadcast on the Radio or

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[7] An aside: in an observation that has parallels with discussions about the effects of the internet in the 2004 and 2008 US Presidential campaigns, Carmichael wrote – 'As for television's future influence on politics, the lesson is pointed sharply by the current US Presidential election, which has been described as 'the television election'.

TV platforms and simultaneously or subsequently put online

The reasons for choosing the issue of the formal apology to Indigenous Australians are that it is:

- a national issue of importance;

- highly topical inside a time-frame that is appropriate to a project of this sort (the current Editorial Policies have been in operation only since 1 March 2007 and section 6 is new, but the sample period needed to cover a reasonable span);

- clearly contentious; and

- a longstanding issue, so that a range of developed perspectives of the requisite types and weights could reasonably be expected to be available to be commissioned or acquired.

The reason for choosing a sample drawn from www.abc.net.au is that the online platform exemplifies the "convergence" to which the ABC is rapidly adapting (along with the rest of the world's broadcasters and publishers, whether public or commercial).

The time-frame is the six months back from the week in which the Prime Minister made the Apology in the Federal Parliament.

Naturally, the boundaries of various perspectives on the issue are porous, and they overlap. They are expressed in various ways. Public debate about complex issues is not neat.

B.   Collection and analysis

It is proposed to collect material on the chosen matter of contention published on www.abc.net.au within the time-frame, using as the sample sources the ABC Innovation Division's "Unleashed" forum and the News Division's "Opinion" forum.

A combination of quantitative and qualitative techniques will be used.

Using established software designed for this purpose, a quantitative analysis will be undertaken to reveal the number of times particular key words, phrases, names, positions and interests occur.

However, simply counting these incidences is not enough. The terms "type" and "weight" in particular require qualitative assessment. For this, the analysis will be carried out by two analysts, with the project manager acting as a discrepant analyst where necessary.

The material will also be grouped by perspective, and analysed for meaning and context.

The analysts will also assess the content in order to gather data on the aspects of the matter of contention presented in each item.

The key questions on which the assessment of impartiality in this sample on this matter of contention will be based are:

1. Was there a diversity of perspectives?

2. What was the "type" and what was the "weight" of the content, as defined above?

From this data, judgements will be made about whether the total sample exhibits overall the presence, in a sufficient degree, of the qualities required to satisfy the section 6.6.3 test of impartiality. Reasons for the judgements will be given.

IV. Reporting procedures

A report will be prepared by Dr Muller for the Director Editorial Policies. In accordance with standard procedure, the relevant Directors will be provided with the draft report and invited to comment. Any comments will then be taken into account in the preparation of a final report, which will be made public at the Managing Director's discretion.

The data from this pilot will be used for clarifying standards and for contributing to continuous improvement of ABC services. The report is for the internal quality assurance purposes of the ABC and will not be used for any other purpose.

Appendix III: Full Responses from News Division and Innovation Division

Response from News Division

EDITORIAL QUALITY ASSURANCE
PROJECT 5: IMPARTIALITY (OPINION CONTENT)
RESPONSE FROM NEWS DIVISION

The News Division welcomes the opportunity to provide a response to the draft report for this project. It has been put together with the assistance of News Online staff in Brisbane and editorial management in News.

These comments relate only to the sections of the report about the Opinion section of ABC News Online, which the online team in Brisbane manages. The comments do not relate to the Innovation Division's Unleashed site.

Weight

The report finds that on the fourth element of the "weight" criterion, there was "a wide disparity … between perspectives supporting an apology and those opposing it. A similarly wide disparity exists between the number of presentations of perspectives generally opposed to the Howard Government's approach to Indigenous issues and those in favour of it." The report goes on to point out that this disparity indicates that the sample did not meet requirements, but that a final conclusion could not be drawn until the relevant Divisions responded.

The first point that News wants to make is that the Opinion Editor for News Online did attempt to commission material that was likely to be opposed to the apology. She made approaches to five people, all former members of the Coalition Government, which had opposed an apology. They were John Howard, John Heron, Ian Macfarlane, Tony Abbott and Wilson Tuckey. All of them declined to contribute opinion pieces. If any of them had accepted and, as expected, opposed the apology, the disparity would have been reduced or even eliminated.

It is worth noting that on some issues, it can be extremely difficult to secure opinions when there would appear to be widespread support socially for a proposition, in this case the apology. Contrary opinions may be difficult to secure for a number of reasons, including fears about the possible political and social fall-out from stating an opinion that might be contrary to the perceived majority view.

Within the time-frame of the review, the draft report rightly says that there was only one piece which opposed the apology, Gary Johns. In fact, the Opinion section ran a second piece, by Scott Stephens, but it was not counted by the review group because it fell outside the cut-off date set for the review (it was published nine days after the cut-off):

http://www.abc.net.au/news/stories/2008/02/25/2171795.htm

News accepts the principle that a time-frame needed to be imposed in order to place some parameters around the investigation. But it should also be noted that, in the context of the issue under investigation, even one more piece opposed to the apology would have a significant impact on the findings as they relate to "the number of times a perspective was presented". As the discussion about the apology continued for some time after the Prime Minister's speech in Parliament, perhaps the review should have gone beyond the time-frame of six months leading to the apology and three days after it.

It is also interesting to note that both pieces opposed to the apology were rejected by other outlets. The Johns piece was obtained because the *Age* did not want to publish it; the Stephens one had been published by *Eureka Street* online and then taken down because the board of *Eureka Street* apparently did not agree with his viewpoint. So in both cases, the ABC News Opinion site gave space to views which otherwise would not have been published. The circumstances surrounding the Stephens piece and *Eureka Street* were responsible for its delayed publication on the News Opinion site (nine days after the apology and outside the review's time-frame.)

On the Gary Highland opinion piece, the report notes his 'sceptical' response to John Howard's constitutional preamble, but not the fact that the News Opinion site posted John Howard's entire speech. Opinion did not run an extract of the speech but it is there and there was a link to it from Highland's piece.

Opinion published an extract of a Howard speech a few months before, so did not want to extract a Howard speech again in the context of an election. News believes that if the Highland piece is counted, so too should the Howard piece.

Further, the report counts the link to the Howard speech from the Highland piece as augmenting Highland's argument when in fact it's there to balance his argument.

The report found that analysis of the available material showed that three items (by Dodson, Highland and Langton) had links to material that augmented the author's argument and asked if the Divisions had data about linking from or in relation to opinion items to related material at the relevant time.

Links

The producer decides on links based on finding relevant material to link to. In general, News Online usually links only to a full version of a speech or relevant report, assuming that it is available online.

Tags

Tags are automatically added by the underlying, pre-determined tagging system News Online uses for all material. These are common to news stories and opinion pieces. In the case of the apology, News Online belatedly added an 'apology' tag to the metatagging system. This allowed news material tagged with 'the-apology' to be automatically extracted from the content management system and published within the apology sub-site of News Online. The Opinion Editor retrospectively added the apology tag to the two most recent Opinion pieces as simply a way of teasing and promoting the Opinion site from within the apology sub-site.

Length

The report notes that there is wide variation in the amount of space contributors are given in Opinion, and it appears to be up to the writer to determine the length.

When News commissions opinion pieces, it asks contributors for between 700 and 800 words. There are, however, wide variations in what is received. If the opinion piece is extracted from a speech, it may be more or less than the preferred length. The Opinion Editor strives to ensure that the overarching sense of the contributor's position is not changed. This can be a significant factor in determining the length. As with all pieces of contributed material, the Opinion Editor has the discretion to let a piece run longer if the argument is well presented. However, the Opinion Editor will often contact the contributor to edit the piece to a more manageable length.

User comments

News Online made all opinion pieces examined in the review open for audience comment except those by Patrick Dodson piece and Scott Stephens. (At this point, the review is not including the Scott Stephens piece.) Patrick Dodson's piece was not opened for comment because he had been in the news making the same sort of comments and the news story was opened for comments. For this reason, the producers decided that there was no sense in also opening the opinion piece for public comments.

Selecting contributors

The criteria for selecting contributors varies. News Online chooses subjects because they are topical or the subject of news coverage. The contributors usually have a degree of expertise or a public profile in relation to the subject matter. The Opinion Editor has a brief to try to present a number of perspectives on contentious issues. News Online subscribes to *Quadrant, The Monthly*, Online Opinion's email list, *Australian Policy Online*, and *Crikey* for opinion subject ideas and contributors. The Opinion Editor also conducts her own research and is informed by discussions at editorial meetings. In the case of the Scott Stephens piece, the Opinion Editor became aware via Andrew Bolt's blog that it had been dropped from the *Eureka Street* site.

EDITORIAL QUALITY ASSURANCE
PROJECT 5: IMPARTIALITY (OPINION CONTENT)
ADDITIONAL RESPONSE FROM NEWS DIVISION TO SECOND DRAFT

News welcomes the changes to the draft, including the further discussion of issues such as tagging, linking, timeframe and the number of times particular perspectives are presented. News believes the findings will lead to continuing discussion beyond this report about how Divisions deal with this relatively new content category.

News would like to make a few additional comments about the second draft.

1. On Page 15, Section 4, the report makes an observation about the relative prominence of the opinion pointers on News and the ABC Home page (for Unleashed):

> Currently, Unleashed and Opinion (News Online) may be reached with one mouse-click from the ABC home page. However, Unleashed has its own banner on the home page, whereas Opinion (News Online) is less prominent, being one of several links under the News banner.

For some time News has intended to provide Opinion with its own prominent content module on the News home page (similar to the current sections for Sport, Entertainment and World). These new content boxes (they will also include Business) are the result of a News Online redesign and the team has not yet rolled out some new features because of other production priorities. News expects to add these new features before the end of the year.

2. On page 21, Section D, Time Frame, the report notes:

> An illustration from the current project, which News raises in its response (Appendix III), is the opinion piece by Scott Stephens, which News stated it published after a magazine had removed it from circulation, but nine days after the Apology and therefore outside this project's time-frame.

News believes it is worth noting in the body of the report (as well as the index), the point it made earlier that, in the context of the issue under investigation, even one more piece opposed to the apology would have a significant impact in assessing 'the number of times a perspective was presented'. It further demonstrates a commitment to presenting a range of perspectives even though contrary perspectives can be, at times, hard to source.

ABC News
July 7, 2008

Response from Innovation Division

Unleashed and the 'Apology'

Response to the draft report on balance in Opinion

Innovation notes the draft report's findings that *Unleashed* output about the Apology to the Stolen Generations satisfies guidelines on diversity and type - and on several points under 'weight' but that there are questions about the overall weight.

'Weight' in this case appears to correspond to the overall number of articles opposing an apology.

Innovation is not however certain that this draft finding on weight is accurate or appropriate (and in an aside notes that 'weight' is not defined in the editorial policies section 6.6.3.)

Balance and Context

Balance, however defined, must relate to the discussion taking place, its moment in time and its social and political context. Editorial judgements about balance are complex and rarely about word counts or the number of articles.

The articles from *Unleashed* bundled together in the draft report in fact come from three different debates and three different times. The context for each was distinct and the issue of balance should relate to each and not to an overall tally.

The first was during the election campaign when John Howard spoke of his desire to see Reconciliation symbolically advanced by an acknowledgement of Aboriginal Australia in a preamble to the constitution. The issue was not just Reconciliation, but political tactics, and John Howard personally appearing to shift his stance after many years in office.

The fulcrum for balance, the matter that divided commentators at the time, was John Howard's sincerity or otherwise in making such a statement during an election campaign. Accordingly *Unleashed* published several pieces.

The cynic's view was expressed by Labor strategist Bruce Hawker in "Howard's reconciliation speech - What was that all about?" http://www.abc.net.au/unleashed/stories/s2058599.htm .

A short piece from former Prime Minister Malcolm Fraser took a similar line, dismissing the Howard initiative as political posturing, http://www.abc.net.au/unleashed/stories/s2058475.htm.

Another, "Indigenous Australians – is this a new dawn?" http://www.abc.net.au/unleashed/stories/s2057946.htm was by former Liberal front bencher Fred Chaney and took a centrist position on the Howard speech, giving it a mixed but more favourable review:

> Any move towards a bipartisan position on one of the elements of reconciliation is to be welcomed. And I do welcome it.

The third piece (not captured in the draft report) 'It's easy to be cynical but' http://www.abc.net.au/unleashed/stories/s2058053.htm, was by Julianne Schultz, an academic usually considered friendly to the ALP, who urged readers to treat the Howard speech as a significant shift:

> Although everything is currently seen through the prism of electoral politics, this is not sufficient. For the first time since the 1967 full constitutional recognition of the First Australians is now something that has bipartisan support. That is a remarkable transformation.

In addition an earlier piece by conservative commentator Peter Coleman "The Culture Wars" , http://www.abc.net.au/unleashed/stories/s2071794.htm (again not captured in the draft report) had rebutted a piece in the *Australian* by Greg Sheridan arguing that John Howard had 'lost' the culture wars. Coleman quoted conservative opinion editor Tom Switzer in defending Howard's track record on Aboriginal affairs:

> Switzer contrasts Keating's Australia, the hey-day of Political Correctness, with Howard's: "Back then there was almost universal consensus in the media about the virtues of Aboriginal welfarism, apologies, treaties, separatism, a politicians' republic, zealous multiculturalism, activist judges rewriting our constitution, and... the black armband view of history. Today things are very different" - and better.

In the view of Unleashed Editors, this all combined to achieve a balanced and appropriately weighted coverage of Mr Howard's position within the election context.

However ,with an arbitary count, these five articles would rate as four anti-apologists against one – a summary which does no justice to editorial nuance or context.

The second time Unleashed dealt with the issue was on Australia Day 2008.

Here the context was fairly simple. How should Australia Day be celebrated? David Barnett in "Parades Marches and Fireworks" http://www.abc.net.au/unleashed/stories/s2146302.htm made a nationalist and conservative argument.

On the same day Jake Keane in "Reconciling the Aussie Within" http://www.abc.net.au/unleashed/stories/s2145668.htm argued for a greater recognition of Aboriginal Australia.

A few days later a former Liberal candidate Irfan Yusuf made a plea for conservatives to recognise Aboriginal concerns in "Why conservatives should be the first to say sorry...". http://www.abc.net.au/unleashed/stories/s2151106.htm (an article once again not appearing in the draft report):

> John Howard had little control over interest rates, yet he still apologised to voters each time interest rates rose. Neither Brendan Nelson nor Kevin Rudd nor me nor most readers had anything to do with stealing Indigenous kids from their parents. Methinks being stolen from your family is worse than having troubles with your mortgage.

Again *Unleashed* editors feel the Australia Day coverage of this issue comprised an appropriate range of opinions with appropriate weighting.

The third time the issue was dealt with was when Kevin Rudd made the Apology itself.

By now the political context had moved some way from the election. Newspoll was putting support for an apology at 69% http://www.theaustralian.news.com.au/files/newspoll-19-feb.jpg .

Politically the apology was supported not only by the Government but by the Opposition and all state governments.

Unleashed therefore felt that its final publication of articles fairly represented the relative weight of public opinion at the time. Two writers supported the apology: Larissa Behrendt, http://www.abc.net.au/unleashed/stories/s2161257.htm and Peter Read, http://www.abc.net.au/unleashed/stories/s2163812.htm .

Trevor Cook wrote a piece http://www.abc.net.au/unleashed/stories/s2165123.htm, arguing that non Aboriginal Australians who had been unfairly removed from families and institutionalised also deserved an apology.

One writer Roger Sandall in "A Meaningless Excerise" http://www.abc.net.au/unleashed/stories/s2160651.htm expressed dissent.

Unleashed editors in fact sought further anti-apology comment and approached writers who may have taken an anti-apology position: Keith Windschuttle (who wrote a piece in *the Australian*), Ron Brunton, Geoffrey Blainey and Peter Sutton. All declined.

User generated content

Innovation also notes that current editorial policies (section 6.4,) exclude from the category of Opinion content 'opinions expressed by audiences through talkback or online interactive features'. The intent here seems to be to free editors from the potential burden of ensuring public feedback is 'balanced'.

However ABC Editorial Policies in this regard seriously undervalue the role of the public as an active force in creating balance on an interactive site like *Unleashed*

On *Unleashed* commissioned articles are only part of the opinion published on any given subject. Articles are conversation starters and not ends in themselves. Accordingly comments posted by the public are a significant part of the text available on the site.

Indeed on the question of the Apology, *Unleashed's* most heavily subscribed feature was the one on Feb 13 which offered no commissioned article but carried the headline. "What do you think about saying sorry?" http://www.abc.net.au/unleashed/stories/s2161320.htm. 1072 postings were published under this title and remain archived. On this familiar and long running national debate, opinion arguably belongs to the ordinary reader as much as it does to public intellectuals. In addition hundreds of posts were made in response to the above cited pieces on the Apology.

While commissioned pieces do carry more individual weight, readers are accustomed to reading user comments, and the many thousands of words written and read by the public cannot be dismissed as weightless.

Conclusion

 Weight is not clearly defined for editorial staff in ABC policies dealing with opinion. Weight, if taken by word or item count seems an inadequate measure of complicated editorial choices. It furthermore does not take account of the specific context within which a group of articles might be published – especially if an arbitary time-frame is assumed.

In the modern interactive environment of online opinion and blogging, to rule user generated content out of any assessment of editorial content, is to misunderstand sites like *Unleashed* .

These matters suggest that editorial policies will in due course have to be re-assessed for the ABC's operations online.

Further Innovation comments to draft report on Impartiality and Online opinion

Some additional points and emphasis:

1*. Unleashed* editors do not seek to achieve balance on subjects in an artificially aggregated way over an arbitrary time frame, but instead seek a general balance on each occasion a debate arises. It follows that each time a broad subject like indigenous relations comes up, the specific nature of the discussion and the range of perspectives will differ.

For instance the first time the subject of Aboriginal affairs arose during the time frame of the report was prior to the federal election, when John Howard made a campaign speech about Reconciliation. The debate of the moment was not the rights and wrongs of an Apology, but the nature of this political initiative. Was Mr Howard expressing a heartfelt and new and conciliatory view or was he merely trying to retrieve a poor political position?

Unleashed editors therefore sought to find balance around the question of the moment– seeking writers who felt the speech was a significant political and historical event and others who dismissed it as a tactical manoeuvre. To analyse whether coverage at this point was pro or anti Apology is to misconstrue the political context and misunderstand the task of editors in seeking comment on the matter. Given that Mr Howard was strongly stating a pro Reconciliation position, a piece opposing Reconciliation itself would have been out of place. The appropriate balance was between voices that doubted or did not doubt his sincerity. It is not surprising then that a majority of pieces came from pro reconciliation advocates- some of whom dismissed Howard's move and some commended it. In this context a crude count of pro and anti Apologists misses the point and distorts the overall count being made in the report.

On the second occasion, the essential issue was not the Apology, nor the Howard government, but the nature of Australian Nationalism and celebration of Australia's national day. Accordingly on the day itself two writers taking opposing view were published.

Only on the third occasion in February 08 was the Apology per se the issue.

2. In addition to the points made in Innovation's earlier response about User Generated Content, and specifically about the thread which was opened on the *Unleashed* site and attracted over one thousand postings – it is worthwhile pointing out that there is a natural level of community balance – or at least of balance amongst ABC online users - that emerges within such a body of content.

3. Unlike ABC Online News *Unleashed* is not technically equipped to tag items on the site. *Unleashed* however does provide the capacity for users to share articles with others by providing the capacity to link all articles to social networking and aggregation sites like del.icio.us, Digg and Reddit.

4. Article links are provided by contributing authors. *Unleashed* editors only add links if they believe that readers will struggle to understand the point being made without access to content a writer may be critiquing or citing.

5. All *Unleashed* contributors are invited to provide articles between 600 and 1000 words. The average is probably about 800 or 900. The exact word count is left to contributors.

6. *Unleashed* is a public access site and while editors seek to commission a range of voices and talk through with writers the line they will take, editors do not seek to control exactly what commissioned authors will write. How well an author will express his or her views and how strident or nuanced those views will be, cannot be determined in advance. Commissioning is more art than science.

July 7, 2008